

## **REMARKS**

This paper is being provided in response to the Office Action dated November 12, 2004 for the above-referenced application. In this response, Applicants have made minor clarifying modifications to the specification, canceled claims 1, 2, 7, 8, 11-24, 29-31, 36, , 40-53 and 62, amended claims 3, 4, 6, 9, 10, 25, 26, 28, 32, 33, 35, 37, 39, 54, 55, 57, 59 and 61 and added new claims 63-91 in order to clarify that which Applicants deem to be the invention. Applicants respectfully submit that the changes to the specification do not add new matter and that the amendments to the claims, and the new claims, are all supported by the originally filed application.

The objection to the drawings has been addressed by amendments to the specification provided herein where the reference number 130 is added in accordance with the guidelines set forth in the Office Action. Accordingly, Applicants respectfully request that this objection be withdrawn.

The rejection of claims 1, 12, and 23 under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,718,481 to Fair (hereinafter "Fair") has been made moot by cancellation of those claims herein. Accordingly, Applicants respectfully request that this rejection be withdrawn.

The rejection of claims 30-32, 37, 41-43, 48, 52-54 and 59 under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,502,205 to Yanai et al. (hereinafter “Yanai”) has been made moot by cancellation of claims 30, 31, 41, 42, 43, 48, 52, 53 and by amendments to claims 32 and 37 to depend from claim 34 and amendments to claims 54 and 59 to depend from claim 55. Accordingly, Applicants respectfully request that this rejection be withdrawn.

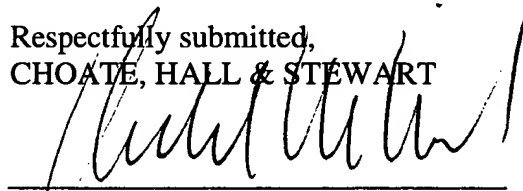
With respect to the remaining rejections of claims under 35 U.S.C. 103, Applicants note that all of these rejections rely on U.S. patent no. 6,760,828, to Black (hereinafter “Black”), which issued after the present application was filed and, thus, would qualify as prior art only under 35 U.S.C 102(e). Applicants further note that Black is assigned to the assignee of the present application, EMC Corporation, and that the subject matter disclosed in Black and the subject matter set forth in the claims of the present application were subject to an obligation to assign to EMC Corporation at the time of invention. Applicants also note that 35 U.S.C. 103(c) provides:

Subject matter developed by another person, which qualifies as prior art only under one or more of subsections (e), (f), and (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person

Accordingly, Applicants respectfully submit that Black should be removed as a reference with respect to the rejections under 35 U.S.C. 103 and that therefore the rejections under 35 U.S.C. 103 should be reconsidered and withdrawn.

Based on the above, Applicants respectfully request that the Examiner reconsider and withdraw all outstanding rejections and objections. Favorable consideration and allowance are earnestly solicited. Should there be any questions after reviewing this paper, the Examiner is invited to contact the undersigned at 617-248-4038.

Respectfully submitted,  
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